

7049. Adulteration of popcorn. U. S. v. 16 Cases of Pop Corn. Default decree of condemnation and destruction. (F. D. C. No. 12635. Sample No. 73802-F.)

LIBEL FILED: June 10, 1944, District of Arizona.

ALLEGED SHIPMENT: On or about March 11 and 29, 1944, by Morris Rosenberg Co., Los Angeles, Calif.

PRODUCT: 16 cases, each containing 42 10-ounce bags, of popcorn at Nogales, Ariz.

LABEL, IN PART: (Bags) "Rose Brand."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent excreta, rodent hairs, rodent-gnawed kernels, and insect fragments; and, Section 402 (a) (4), it had been prepared or packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: August 30, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

7050. Adulteration of popcorn. U. S. v. 100 Bags of Pop Corn. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 12377. Sample No. 30259-F.)

LIBEL FILED: May 17, 1944, Northern District of California.

ALLEGED SHIPMENT: On or about March 1, 1944, from Omaha, Nebr.

PRODUCT: 100 bags, each containing 100 pounds, of popcorn, at Oakland, Calif., in possession of Keystone Products Co.

The product was stored under insanitary conditions after shipment. Some of the bags were torn, and popcorn had been scattered over and around them. Mouse pellets were found on the bags and mixed with the corn. Examination of samples showed that the product contained rodent excreta and rodent hairs.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: June 16, 1944. B. F. Butterfield, trading as Keystone Products Co., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. The product was sorted and washed.

7051. Adulteration of rice. U. S. v. 10 Drums of Rice. Portion of product ordered released. Remainder condemned and ordered released under bond. (F. D. C. No. 12325. Sample No. 79513-F.)

LIBEL FILED: May 4, 1944, District of Columbia.

PRODUCT: 10 unlabeled drums of rice, offered for sale at the Chinese Lantern Restaurant Corporation, Washington, D. C.

The product had been stored under insanitary conditions. It was found to contain rodent hairs.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it might have become contaminated with filth.

DISPOSITION: The Chinese Lantern Restaurant Corporation filed a claim for the product. On August 31, 1944, 3 drums having been found fit for human consumption, they were ordered returned to the claimant, and the remainder of the product was condemned and ordered released under bond to be denatured, under the supervision of the Food and Drug Administration, and disposed of as animal feed.

7052. Misbranding of pie crust mix. U. S. v. 50 Cases of Pie Crust Mix. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 12627. Sample No. 60763-F.)

LIBEL FILED: June 7, 1944, Northern District of California.

ALLEGED SHIPMENT: On or about May 2, 1944, by Family Kitchen Manufacturing Co., from Phoenix, Ariz.

PRODUCT: 50 cases, each containing 48 cartons, of pie crust mix at San Francisco, Calif.

LABEL, IN PART: (Cartons) "Net Wt. 10 Oz. Family Kitchen Pie Crust Ready-Mixed for Instant Use."

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the statement "Net Wt. 10 Oz.," which appeared on the label, was false and misleading as applied to the article, which was short-weight; and, Section 403 (e) (2), it was a food in package form and failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: August 3, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

CHOCOLATE AND SUGAR PRODUCTS

CANDY*

7053. Adulteration of candy. U. S. v. Euclid Candy Co. of N. Y., Inc., and Louis Glick. Pleas of guilty by the corporation to counts 1, 2, and 3, and by the individual to count 4. Corporation fined \$300 on the 3 counts, and the individual fined \$300 on count 4. (F. D. C. No. 7220. Sample Nos. 56746-E to 56748-E, incl., 56750-E.)

INFORMATION FILED: May 24, 1944, Eastern District of New York, against the Euclid Candy Co., of N. Y., Inc., and Louis Glick, president, Brooklyn, N. Y.

ALLEGED SHIPMENT: From on or about October 15 to November 12, 1941, from the State of New York into the State of New Jersey of quantities of candy.

Examination of samples of the product revealed the presence of some or most of the following objectionable substances: Rodent hairs and hair fragments, human hair, fragments of insect bodies, larvae and larva fragments, mites, fly maggots, metal or rust fragments, splinters of wood, brush hairs, bits of fibers or strings, fragments of charcoal or soot, sand, miscellaneous filth fragments, and nondescript dirt.

LABEL, IN PART: (Portion of product, wrapper) "Dolly Dimple * * * Home-Maid Fudge * * * Vanilla [or "Chocolate"]"; (remainder, boxes) "Euclid's Sambo."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: June 30, 1944. A plea of guilty having been entered on behalf of the corporation to counts 1, 2, and 3, and by the individual to count 4, the court fined the corporation \$300 and the individual defendant \$300.

7054. Adulteration of candy. U. S. v. Mignon Chocolate Co., Inc., and Arthur Heiman. Pleas of guilty. Each defendant fined \$150. (F. D. C. No. 9625. Sample Nos. 18824-F, 18825-F.)

LIBEL FILED: July 18, 1944, Southern District of New York, against the Mignon Chocolate Co., Inc., New York, N. Y., and Arthur Heiman, president and treasurer of the corporation.

ALLEGED SHIPMENT: On or about November 10, 1942, from the State of New York into the State of New Jersey.

LABEL, IN PART: "Chocolate Marzipan Plain Mignon," or "Mignon Chocolates de Luxe Orange Peel."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hair fragments, insect fragments, a mite, human hair fragments, metal fragments, wood splinters, rust fragments, and nondescript dirt; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: August 28, 1944. Pleas of guilty having been entered, each defendant was fined \$150.

7055. Adulteration and misbranding of candy. U. S. v. 45 Boxes and 5 Boxes of Candy. Default decree of condemnation. Product ordered delivered to charitable institutions. (F. D. C. No. 12401. Sample Nos. 52191-F, 52301-F.)

LIBEL FILED: May 19, 1944, District of Maine.

ALLEGED SHIPMENT: On or about March 3 and April 8, 1944, by Almonette Candy Co., from Lynn, Mass.

*See also Nos. 7192-7194.